

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

NORMAN E. LACEY,

Plaintiff,

v.

CITY OF AUBURN,

Defendant.

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CASE NO: 3:06-CV-1145-MEF

MOTION TO AMEND ANSWER

Comes Now Defendant City of Auburn and herewith moves this Court to allow it to amend its Amended Answer by adding to the Twenty-Third Affirmative Defense as set forth in the Second Amended Answer simultaneously submitted herewith.

Defendant shows unto this Court that the Second Amended Answer is timely and within the deadlines established by the Court's Uniform Scheduling Order.

/s/ Randall Morgan
Randall Morgan [MORG8350]
Attorney for Defendant City of Auburn

OF COUNSEL:
Hill, Hill, Carter, Franco,
Cole & Black, P.C.
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CERTIFICATE OF SERVICE

I hereby certify that on this the 13th day of August, 2007, I have electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification to the following via email:

Roderick E. Cooks, Esq.
Winston Cooks, LLC
The Penick Building
319 17th Street North
Birmingham, Alabama 35203

/s/ Randall Morgan
OF COUNSEL